

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2003-022812

01/17/2006

HON. PAUL A KATZ

CLERK OF THE COURT
W. Bobrowski
Deputy

FILED: 01/19/2006

JOSIE LEIMONE, et al.

ROBERT J HOMMEL

v.

AMERICAN HOME ASSURANCE CO, et al.

DENISE H TROY

**TRIAL MINUTE ENTRY
DAY FIVE**

9:39 a.m. Trial to a jury continues from January 13, 2006. Plaintiffs Josie and Louis Leimone are present and represented by counsel, Robert J. Hommel. Defendants are represented by counsel, Denise H. Troy and Timothy Thomason.

Court Reporter, Kim Hannan-Cox, is present.

The jury is present.

Plaintiffs' case continues:

The videotaped deposition of Louis H. Rappoport dated September 16, 2005 is shown to the jury. A court reporter is waived.

10:46 a.m. Court stands at recess.

11:12 a.m. Court reconvenes with respective parties and counsel present.

Court Reporter, Kim Hannan-Cox, is present.

The jury is present.

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The videotaped deposition of Louis H. Rappoport dated September 16, 2005 is shown to the jury. A court reporter is waived.

Louis Leimone is sworn and testifies.

The witness is excused.

12:04 p.m. Court stands at recess.

1:52 p.m. Court reconvenes with respective parties and counsel present.

Court Reporter, Kim Hannan-Cox, is present.

The jury is present.

Ronica Rexroat is sworn and testifies.

3:10 p.m. Court stands at recess.

Plaintiffs' exhibit number 213 is marked for identification.

3:28 p.m. Court reconvenes with respective parties and counsel present.

Court Reporter, Kim Hannan-Cox, is present.

The jury is present.

Ronica Rexroat resumes the stand and testifies further.

The Court receives a juror question and same is discussed with counsel off the record and out of the hearing of the jury.

An oral response to said question is given to the jury through the questioning of the witness.

The witness is excused.

Plaintiffs rest.

4:24 p.m. The jury is excused until 9:30 a.m. on January 18, 2006 while Court remains in session.

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Defendants move for judgment as a matter of law on the bad faith claim and punitive damages claim.

IT IS ORDERED denying the motion with respect to the bad faith claim and taking the motion with respect to punitive damages under advisement.

4:53 p.m. Court stands at recess until 9:30 a.m. on January 18, 2006.

FILED: Juror Question.